

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KIRK DAHL, et al, Individually and on
Behalf of All Others Similarly Situated,

:

Plaintiffs, : Lead Case No. 1:07-cv-12388-EFH

v. : (Consolidated)

BAIN CAPITAL PARTNERS, LLC, THE :
BLACKSTONE GROUP L.P., THE

CARLYLE GROUP, THE GOLDMAN : CLASS ACTION

SACHS GROUP, INC., GS CAPITAL :
PARTNERS, JP MORGAN CHASE & CO.,

JP MORGAN PARTNERS, LLC, :
KOHLBERG KRAVIS ROBERTS &

COMPANY, L.P., MERRILL LYNCH & :
CO., INC., MERRILL LYNCH GLOBAL

PARTNERS, INC., PERMIRA ADVISORS :
LLC, PROVIDENCE EQUITY PARTNERS,

INC., SILVER LAKE PARTNERS, TGP :
CAPITAL, L.P., THOMAS H. LEE

PARTNERS, L.P. AND WARBURG :
PINCUS LLC,

:

Defendants. :
:

**PLAINTIFFS' MOTION TO COMPEL WITH RESPECT TO PROVIDENCE EQUITY
PARTNERS, INC.'S RESPONSES TO INTERROGATORIES 1, 2 AND 4**

Plaintiffs Police and Fire Retirement System of The City of Detroit, Kirk Dahl, Helmut Goeppinger, Joseph S. Fisher, M.D., P.C. New Profit Sharing Trust by Joseph S. Fisher, M.D., Trustee, James J. Klein, M.D., Rufus Orr, and Robert Zimmerman ("Plaintiffs") respectfully request that this Court grant this motion to compel sought by Plaintiffs pursuant to Local Rule 37.1 and the Federal Rules of Civil Procedure, Rule 33.

As set forth more fully in the accompanying memorandum of points and authorities, Plaintiffs will and do hereby move for an order directing Defendant Providence Equity Partners, Inc. to:

1. Either declare that the documents provided in response to Plaintiffs' Interrogatories 1, 2 and 4 contain complete answers to those Interrogatories; or
2. Supplement the answers to Plaintiffs' Interrogatories 1, 2 and 4 to reflect responsive information not contained in said documents, such as information related to oral communications; and
3. State which documents are responsive to Plaintiffs' Interrogatory 1, 2 and 4 respectively.

This motion is based on the accompanying memorandum of points and authorities, the declaration of Michael G. Stewart with attached exhibits, the complete files and records in this action, and other evidence as may be presented at or before the hearing on this motion.

A proposed order is submitted herewith.

WHEREFORE, Plaintiffs respectfully request that this Court grant this motion to compel and further relief as the Court deems just and appropriate.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Plaintiffs respectfully request oral argument on this Motion.

Dated: August 25, 2009

/s/ Michael G. Stewart

Michael G. Stewart (*admitted pro hac vice*)
J. Gerard Stranch, IV (*admitted pro hac vice*)
BRANSTETTER, STRANCH
& JENNINGS, PLLC
227 Second Avenue, North – 4th Floor
Nashville, TN 37201-1631
(615) 254-8801

Christopher M. Burke (*admitted pro hac vice*)
Arthur L. Shingler III (*admitted pro hac vice*)
Kristen M. Anderson (*admitted pro hac vice*)
SCOTT + SCOTT LLP
600 B Street, Suite 1500
San Diego, CA 92101
(619) 233-4565

Lisa Furnald
ROBINS, KAPLAN, MILLER & CIRESI LLP
800 Boylston Street, 25th Floor
Boston, MA 02199
(617) 267-2300

K. Craig Wildfang (*admitted pro hac vice*)
Thomas B. Hatch (*admitted pro hac vice*)
Stacey P. Slaughter (*admitted pro hac vice*)
ROBINS, KAPLAN, MILLER & CIRESI LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015
(612) 349-8500

David R. Scott (*admitted pro hac vice*)
SCOTT + SCOTT LLP
108 Norwich Avenue
Colchester, CT 06415

(860) 537-3818

Walter W. Noss (admitted *pro hac vice*)
SCOTT + SCOTT LLP
12434 Cedar Road, Suite 12
Cleveland Heights, OH 44106
(216) 229-6088

Patrick J. Coughlin (of counsel)
Susan G. Taylor (admitted *pro hac vice*)
David W. Mitchell (admitted *pro hac vice*)
COUGHLIN STOIA GELLER RUDMAN &
ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
(619) 231-1058

Jack Landskroner (admitted *pro hac vice*)
Paul Grieco (admitted *pro hac vice*)
LANDSKRONER • GRIECO • MADDEN, LTD.
1360 West 9th Street, Suite 200
Cleveland, OH 44113
(216) 522-9000

Brian Robbins (admitted *pro hac vice*)
George Aguilar (admitted *pro hac vice*)
ROBBINS UMEDA & FINK, LLP
610 West Ash Street, Suite 1800
San Diego, CA 92101
(619) 525-3990

Richard Lockridge (admitted *pro hac vice*)
Charles N. Nauen (admitted *pro hac vice*)
Karen Riebel (admitted *pro hac vice*)
LOCKRIDGE GRINDAL NAUEN P.L.L.P.
Suite 2200
100 Washington Avenue South
Minneapolis, MN 55401
(612) 339-6900

Dennis Stewart (of counsel)
HULETT HARPER STEWART, LLP
550 West C Street, Suite 1600
San Diego, CA 92101
(619) 338-1133

Brian Murray (of counsel)
MURRAY, FRANK & SAILER LLP
275 Madison Avenue, 8th floor
New York, NY 10016
(212) 682-1818

Mark Reinhardt (of counsel)
REINHARDT WENDORF & BLANCHFIELD
P.O. Box 460
2201 Atlantic Avenue
Sullivan's Island, SC 29482
(651) 287-2100

Nadeem Faruqi (of counsel)
FARUQI & FARUQI, LLP
369 Lexington Avenue, 10th Floor
New York, NY 10017
(212) 983-9330

Attorneys for Plaintiffs

**CERTIFICATE OF COMPLIANCE WITH
LOCAL RULES 7.1 AND 37.1**

The undersigned hereby certifies that Plaintiffs' counsel have conferred with counsel for Defendants and have attempted in good faith to resolve or narrow the issues raised by this Motion.

/s/ Michael G. Stewart
Michael G. Stewart (*admitted pro hac vice*)
BRANSTETTER, STRANCH
& JENNINGS, PLLC
227 Second Avenue, North – 4th Floor
Nashville, TN 37201-1631
(615) 254-8801

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2009, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses of all participating CM/ECF attorneys. I hereby certify that I forwarded paper copies of the foregoing document by U.S. Postal Service to all attorneys who have entered an appearance yet are not registered with the Electronic Filing system.

/s/ Michael G. Stewart
Michael G. Stewart
BRANSTETTER, STRANCH
& JENNINGS, PLLC
227 Second Avenue, North – 4th Floor
Nashville, TN 37201-1631
(615) 254-8801